THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 18272 OF 2007

Dated 28th August 2007

Between:

P.Sravanee Devi

…Petitioner

and

The Superintendent of Engineer (R&B)
East Godavari District, at Kakinada & others

…Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 18272 OF 2007

O R D E R:

The 2nd respondent issued tender notice dated 9.8.2007, inviting tenders for the work of construction of compound wall around the bunglow of District and Sessions Judge, Rajahmundry, estimated at Rs.12,09,000/-. The petitioner states that she is a registered Civil Contractor and belongs to Scheduled Caste. Her grievance is that the respondents are not extending the benefit of exemption from making the deposit of EMD, and seeks necessary directions, in this regard.

Heard the learned counsel for the petitioner and learned Government Pleader for R&B.

In G.O.Ms.No.52, Transport, Roads & Buildings (B.1-1) Department, dated 18.3.2000, the Government exempted the Labour Contract Cooperative Societies of SCs, STs and Wadderas, from making deposit of EMD for the works up to Rs.20,00,000/-, and the individuals of those categories, for the works up to Rs.10,00,000/-. The

present work is estimated at Rs.12,09,000/-. In that view of the matter, if G.O.Ms.No.52, dated 18.3.2000, alone is the order governing the field, the petitioner cannot claim the benefit. On the other hand, if there exists any other order, she needs to be extended the benefit.

Hence, the writ petition is disposed of, directing that in case the petitioner is able to cite any order, binding upon the Department providing exemption in her favour, the respondents shall consider the same and take necessary decision. There shall be no order as to costs.

28th August 2007

Note: Issue C.C. in three days.

(B/0)

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